

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**NEXUS DISPLAY TECHNOLOGIES,
LLC,**

Plaintiff,

v.

STMICROELECTRONICS, INC.,

Defendant.

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Civil Action No. 3:15-MC-100-L

ORDER

Pursuant to the order of reference filed September 10, 2015, before the Court for determination is the *Motion to Compel Compliance with Subpoena and for Contempt*, filed September 8, 2015 (doc. 1).

By order dated September 11, 2015 (doc. 4), the parties to the dispute were ordered to confer “face-to-face” regarding the issues raised in the motion. The order provided that the movant was to serve the respondent with a copy of the order and to file a certificate of service attesting to service no later than September 15, 2015. The order further provided that if the parties resolved the dispute during the conference, the movant was to submit an agreed order to the Court. If the dispute was not resolved during the conference, the movant was ordered to file a joint submission on behalf of the parties to the dispute. The order specifically provided that if a joint submission was not timely filed, the motion was subject to dismissal. The deadline for submitting an agreed order or filing a joint submission was 5:00 p.m. on September 21, 2015.

The movant failed to file a certificate of service on the respondent of the September 11, 2015 order. According to the respondent’s filing, the movant never served it with the order. The movant

also failed to submit an agreed order or timely file a joint submission. At 4:37 p.m., however, the movant filed a unilateral “submission” alleging that the deadlines had not been docketed due to a clerical error, and requesting a continuance of four days for the joint submission. It explained that the movant’s counsel had left messages for the respondent’s in-house counsel on September 8 and September 17, 2015, and that the respondent’s counsel left a message late in the day on September 17, 2015. The respondent’s filing contends that the movant waited until September 17, 2015 to contact it, and that the movant made no further attempts. The movant’s “submission” reflects no further attempts to comply with the September 11, 2015 order on either Friday, September 18, 2015, or Monday, September 21, 2015. It also reflects no certificate of conference regarding the requested continuance, as required by the Local Civil Rules for the Northern District of Texas.

Given the movant’s failure to comply with the express terms of the September 11, 2015 as well as with the local rules without sufficient justification, the motion to compel is **DENIED** as provided by the terms of that order.

SO ORDERED on this 22nd day of September, 2015.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE